REMARKS

By this Amendment, claims 1, 10-12 and 16 are amended. Claims 2-3, 5-9, 13-14 and 17-18 remain in the application. Thus, claims 1-3, 5-14 and 16-18 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

In item 4 on page 2 of the Office Action, claims 1-3, 8-14 and 16-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hurtado et al. in view of Wang (U.S. 6,885,748).

Without intending to acquiesce to this rejection, independent claims 1, 10-12 and 16 have each been amended in order to more clearly illustrate the marked differences between the present invention and the applied references. Accordingly, the Applicants respectfully traverse this rejection for the following reasons.

Content distribution systems have become available for distributing video or music contents to terminals such as personal computers and portable phones. In the conventional systems, a content (content body) is not simply distributed by itself. Instead, in order to prevent an illegal copy of the content body, the content body is provided with conditions restricting the use of the content body. Conventional systems store content bodies, edit management data for each content body, and respectively provide the management data to the content bodies so as to create distribution content. That is, the distribution content body consists of a content body and a respective management data provided thereto. The management data includes the conditions for the use of the content body at the receiving terminals, such as "playable only when a fee is paid," and "playable within a certain time period." In the conventional systems, the created distribution content is forwarded to the terminals, and the terminals are able to replay the content body of the received distribution content according to the management data which is provided to the content body.

However, in the conventional systems, only one management data is provided for each content body. Therefore, replay and billing restrictions can only be made for the entire unit of a content body, not portions of the content body. In other words, a content body cannot be provided with multiple management data providing separate replay and billing restrictions to multiple sections on a time axis of the same content body. Further,

if a content body is to have a plurality of different types of restrictions on the use of a content body in the conventional systems, different distribution contents must be created for each content body so as to provide for the different types of uses of one content body. For example, if a content provider wishes to provide a promotional distribution content (e.g., a thirty second preview of a music file) to allow the user of the terminal to sample the content body before purchasing the full-package distribution content, the content provider must create, store and transmit a promotional distribution content and a full-package distribution of the same content body, and the user of the terminal must receive the promotional distribution content and then the full-package distribution content before being able to replay the entire content body . As a result, the content creator has to waste storage capacity and time to create both the promotional distribution content and the full-package distribution content, and the user of the terminal has to waste time and communications costs for receiving both distribution contents.

To solve the aforementioned problems with the conventional systems, the present invention can create a distribution content which is provided with a use condition that is only effective to part of the content body of the distribution content. In particular, the present invention provides a distribution content creating apparatus and method, a content distribution system, a terminal for receiving distribution content, and distribution content in which an arrangement of information is contained and which is embodied in a processor readable memory. According to the present invention, the apparatus, method, system and distribution content embodied in the processor readable memory each include distribution content which comprises a content body, a plurality of pieces of management data, and management track data.

In particular, in the distribution content creating apparatus of the present invention, a distribution content creating part is operable to create a distribution content by reading a content body from a content storage part, which stores content bodies, and providing the read content body with a use condition. A distribution content storage part is operable to store the distribution content which is created by the distribution content creating part. The distribution content creating part includes a management data editing part which is operable to edit management data for at least one specific section of the read content body indicating the use condition of the specific section. The distribution

content creating part is further operable to create the distribution content by providing the content body with a plurality of pieces of management data edited by the management data editing part and with management track data which defines, as a management track, a collection of at least one management data selected from the plurality of pieces of management data. Further, a plurality of management tracks are defined in the distribution content corresponding to a plurality of different uses of the content body, and the plurality of different uses are different in terms of at least one of a reproduction section of the content body and a reproduction condition of the content body.

Accordingly, a plurality of management tracks define a plurality of different uses of a single content body, and therefore are not defined for a single use of the collection of the content bodies.

Furthermore, as described, for example, beginning at line 13 on page 39 of the substitute specification (beginning at line 23 on page 38 of the original specification), the content body is divided into a plurality of sections on a time axis constituting the content body, and each reproduction section can be provided with different management data. Therefore, according to the present invention, it is possible to specify at least one of a plurality of sections in the content body, and to set management data to only be effective to selected section. For example, a content body can be replayed only for the first few minutes, or a content body can be replayed for free only for the first few minutes but the remaining portion of the content body cannot be replayed unless a fee is paid.

Therefore, according to the present invention, because content providers or content creators can assign a plurality of management tracks with a content body, where each content body can be divided into a plurality of sections each having their own management data provided thereto, utilization of the content body is under the content providers' or the content creators' control. That is, with the plurality of management tracks that are defined in the distribution content corresponding to a plurality of different uses of the content body, content providers or creators can define a plurality of different uses of the content body. For example, the content providers or creators can change an order in which sections of the content body are reproduced, and can change the reproduction fees for each designated section of the content body.

Independent claims 1, 10-12 and 16 each recite that a plurality of management tracks are defined in the distribution content corresponding to a plurality of different uses of the content body, and that the plurality of different uses are different in terms of at least one of a reproduction section of the content body and a reproduction condition of the body.

Independent claims 1, 10-11 each recite creating the distribution content by reading a stored content body and providing the read content body with a use condition, and editing management data for at least one specific section of the read content body indicating the use condition of the specific section. Claims 1 and 10-11 also each recite that <u>the specific section of the read content body is at least one of a plurality of sections on a time axis constituting the read content body</u>.

Independent claim 12 recites a terminal for receiving the distribution content which includes a content body, and a plurality of pieces of management data respectively indicating a use condition which is effective to a specific section of the content body, where <u>the specific section of the content body is at least one of a plurality of sections on a time axis constituting the content body</u>.

Independent claim 16 recites that the distribution content comprises a content body, and at least one piece of management data each for at least one specific section of the read content body and indicating the use condition of the specific section, where <u>the specific section of the read content body is at least one of a plurality of sections on a time axis constituting the read content body</u>.

On page 3 of the Office Action, the Examiner acknowledged that Hurtado et al. fails to disclose or suggest that a plurality of management tracks are defined in the distribution content corresponding to a plurality of different uses of the content body, and that the plurality of different uses are different in terms of at least one of a reproduction section of the content body and a reproduction condition of the body.

The Examiner thus applied Wang to cure the obvious deficiencies of Hurtado et al. The Examiner asserted that Wang discloses a "system for protection of digital works including specific use conditions on specific content segment as well as reproduction condition of the content ('conditions', printing 'twice', abstract; summary and col. 13, lines 7-35, Wang).

Wang discloses a technique of creating a self-protecting document (SPD) where the document author creates the document and decides what rights are to be permitted with regard to use of the document, and the content distributor customizes the document for use by various users so as to ensure that the users do not exceed the permissions they purchased (see Column 5, lines 20-35).

Wang discloses that a "content segment 516 of the SPD 510 (see Figure 5) includes three subsections: document meta-information 518 (including but not limited to the document's title, format, and revision date), rights label information 520 (such as a copyright notice attached to the text, as well as rights and permissions information), and the protected content [522] (the encrypted content itself)" (see Column 13, lines 7-13).

These three "subsections" of Wang clearly are not separate sections on a time axis which each have their own respective management data associated therewith. That is, the document meta-information 518, the rights label information 520 and the protected content 522 are clearly not divided sections of a plurality of sections of the content body on a time axis, where the three subsections 518, 520, 522 specify a section in a content body on a time axis and set management data that is effective to only that section on the time axis.

Accordingly, similar to Hurtado et al., Wang clearly does not disclose or suggest that the specific section of the read content body for which the management data is edited is at least one of a plurality of sections on a time axis constituting the read content body, as recited in claims 1, 10-11 and 16. Similarly, like Hurtado et al., Wang clearly does not disclose or suggest that the specific section of the content body for which the management data is edited is at least one of a plurality of sections on a time axis constituting the content body, as recited in claim 12.

Therefore, neither Hurtado et al. nor Wang disclose or suggest each and every limitation of claims 1, 10-12 and 16. Accordingly, no obvious combination of Hurtado et al. and Wang would result in the inventions of claims 1, 10-12 and 16 since Hurtado et al. and Wang, either individually or in combination, clearly fail to disclose or suggest each and every limitation of claims 1, 10-12 and 16.

Thus, for at least the foregoing reasons, claims 1, 10-12 and 16 are clearly allowable over Hurtado et al. and Wang.

In item 5 on page 10 of the Office Action, claims 5-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hurtado et al. in view of Wang and further in view of Purnaveja et al. (U.S. 6,006, 241). As demonstrated above, neither Hurtado et al. nor Wang disclose or suggest that the specific section of the content body for which the management data is edited is at least one of a plurality of sections on a time axis constituting the content body.

Purnaveja et al. discloses synchronization scripts and associated annotated multimedia streams for servers and client computers which are coupled to each other by various networks. However, Purnaveja et al. clearly fails to disclose or suggest that the specific section of the content body is at least one of a plurality of sections on a time axis constituting the content body, as recited in claims 1, 10-12 and 16.

Accordingly, Hurtado et al., Wang and Purnaveja et al. clearly fail to disclose or suggest each and every limitation of claims 1, 10-12 and 16.

Therefore, no obvious combination of Hurtado et al., Wang and Purnaveja et al. would result in the inventions of claims 1, 10-12 and 16 since Hurtado et al., Wang and Purnaveja et al., either individually or in combination, clearly fail to disclose or suggest each and every limitation of claims 1, 10-12 and 16.

Furthermore, it is submitted that the clear distinctions discussed above are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Hurtado et al., Wang and Purnaveja et al. in such as manner as to result in, or otherwise render obvious, the present invention as recited in claims 1, 10-12 and 16.

Therefore, it is submitted that the claims 1, 10-12 and 16, as well as claims 2-3, 5-9, 13-14 and 17-18 which depend therefrom, are clearly allowable over the prior art as applied by the Examiner.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.
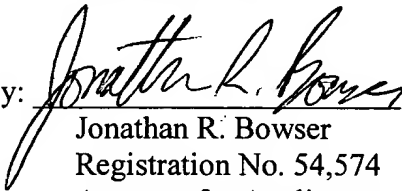
If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the

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Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

In the event that the Examiner believes that the application cannot be passed to issue and the issues remaining cannot be resolved by contacting the undersigned by telephone, the Applicants respectfully request the Examiner to issue an Advisory Action prior to the expiration of the statutory period for responding to the Office Action.

Respectfully submitted,

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